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Bingham McCutchen LLP 1900 University Avenue East Palo Alto, CA 94303-2223	TO: Examiner Thomas R. Artman United States Patent and Trademark Office	571-273-8300	571-272-2485
650.849.4400 650.849.4800 fax bingham.com	FROM: Sheila Badon sheila.badon@bingham.com	(650) 849-4800	(650) 849-4455
Boston Hartford London Los Angeles New York Orange County San Francisco Silicon Valley Tokyo Walnut Creek Washington	PAGES: (INCLUDING THIS COVER PAGE): 4		
	RE: U.S. Patent Application Serial No. 10/037,477 Entitled: METHOD AND APPARATUS FOR IRRADIATING A TARGET Date Filed: January 2, 2002 Inventor: Yoshihiro Takai, Wolfgang W. Kaissl, Marcel R. Marc, John C. Ford, Shogo Yamada, Masatoshi Mitsuya Attorney Docket No. VM7012072001		
	MESSAGE:		
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Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Thomas R. Artman, (Group Art Unit 2882) at Facsimile No. (571) 273-8300.			
Dated: January 17, 2007		Name of Person Certifying: <u>Sheila Badon</u> Printed Name: Sheila Badon	

Enclosed:

- Transmittal (1 pg);
- Supplemental Response After Final (2 pgs).

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/037,477
Filing Date	January 2, 2002
First Named Inventor	Yoshihiro Takai et al.
Art Unit	2882
Examiner Name	Thomas R. Artman
Total Number of Pages in This Submission	14
Attorney Docket Number	VM7012072001

ENCLOSURES (check all that apply)

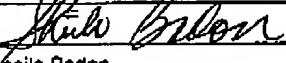
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Supplemental Response (2 pgs.)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Fax Cover Sheet to Examiner
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Bingham McCutchen LLP		
Signature			
Printed Name	Gerald Chan		
Date	January 17, 2007	Reg. No.	51,541

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	Sheila Badon
Date	January 17, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent
VM7012072001
Varian 02-001**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):**

[X] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Thomas R. Artman at Facsimile No. 571-273-6300.

Dated: January 17, 2007Name of Person Certifying: Sheila BadonPrinted Name: Sheila Badon**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Yoshihiro Takai, et al.**Serial No.: 10/037,477****Filed: January 2, 2002****For: METHOD AND APPARATUS FOR
IRRADIATING A TARGET****Group Art Unit: 2882****Examiner: Artman, Thomas R.****SUPPLEMENTAL RESPONSE AFTER FINAL**

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on October 17, 2006, Applicant had submitted a response on December 15, 2006. Subsequently, Applicant received an Interview Summary mailed on December 21, 2006. According to the Interview Summary, the description of the demonstration that was conducted at the interview is "computer simulation of IMRT with a MLC, tracking a target with the MLC, and doing both at the same time, which is what Applicants intend to claim." Applicant agrees that the demonstration conducted was a "computer simulation." However, Applicant wishes to clarify that the claims do not recite "computer simulation," and that the claims

Patent
VM7012072001
Varian 02-001

are directed to IMRT using a MLC. As such, Applicant submits that the claims are allowable for what they recite.

If the Examiner has any questions or comments regarding this amendment, please contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing number 7012072001. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing number 7012072001.

Respectfully submitted,

Dated: January 17, 2007

By: 
Gerald Chan
Reg. No. 51,541

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